

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

LEE COLLINS,

Plaintiff,

V.

**SHERIFF-BEXAR COUNTY JAVIER
SALAZAR; MAGISTRATE JUDGE
EDITH BROWN; DISTRICT ATTORNEY
JOE GONZALES, BEXAR COUNTY;
SAPD, JUDGE VELIA MEZA, 226
DISTRICT COURT BEXAR COUNTY;**

Defendants.

CIVIL ACTION NO. SA-20-CA-578-FB

**ORDER ACCEPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

Before the Court is the Report and Recommendation of United States Magistrate Judge, filed in the above-captioned cause on September 5, 2023. (Docket no. 15). The Report and Recommendation concerns *pro se* Plaintiff Lee Collins' Application to Proceed in District Court Without Prepaying Fees or Costs and proposed civil complaint. *See* (Docket no. 1). The electronic docket sheet reflects the Report and Recommendation was sent by certified mail to Mr. Collins on September 5, 2023 (docket no. 16), and the certified mail acknowledgment receipt was received by the Court Clerk on September 11, 2023 (docket no. 17). To date, no objections to the Report and Recommendation have been received.¹

Because no party has objected to the Magistrate Judge's Report and Recommendation, the Court need not conduct a de novo review. *See* 28 U.S.C. § 636(b)(1) ("A judge of the court shall make a de

¹ Any party who desires to object to a Magistrate's findings and recommendations must serve and file his, her or its written objections within fourteen days after being served with a copy of the findings and recommendation. 28 U.S.C. § 635(b)(1). If service upon a party is made by mailing a copy to the party's last known address, "service is complete upon mailing." FED. R. CIV. P. 5(b)(2)(C). If service is by electronic means, "service is complete upon transmission." *Id.* at (E).

novo determination of those portions of the report or specified proposed findings and recommendations to which objection is made."). The Court has reviewed the Report and Recommendation and finds its reasoning to be neither clearly erroneous nor contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918 (1989).

IT IS THEREFORE ORDERED that the Report and Recommendation of United States Magistrate Judge (docket no. 15) is ACCEPTED pursuant to 28 U.S.C. § 636(b)(1) such that the above styled and numbered cause is DISMISSED for failure to prosecute and failure to respond to the Court's orders.

IT IS FURTHER ORDERED that motions pending with the Court, if any, are Dismissed as Moot and this case is CLOSED.

It is so ORDERED.

SIGNED this 6th day of October, 2023.



FRED BIERY
UNITED STATES DISTRICT JUDGE